

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tetsuo OKADA <i>et al.</i>) Confirmation No.: 6009
)
Application No.: 10/576,774) Group Art Unit: 1624
)
Filed: March 16, 2007) Examiner: Deepak R. Rao
)
FOR: Process for the Manufacture of the Calcium)
Salt of Rosuvastatin (E)-7-[4-(4-)
Fluorophenyl)-6-Isopropyl-2-)
[Methyl(Methylsulfonyl)Amino]-Pyrimidin-)
5-Yl](3R,5S)-3,5-Dihydroxyhept-6-Enoic)
Acid and Crystalline Intermediates Thereof) Date: March 26, 2009

INFORMATION DISCLOSURE STATEMENT

UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants request that the Examiner consider this Information Disclosure Statement and the documents listed on the attached Form PTO-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits in the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this Information Disclosure Statement.

A copy of the listed document is attached. Applicants respectfully request that the Examiner initial and return the Form PTO-1449, indicating that the information has been considered and made of record herein.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." Applicants reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required,

including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully Submitted,
Morgan Lewis & Bockius LLP

Date: **March 26, 2009**
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